



Docket No.: S2005.0032/P032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masatoshi Yano

Application No.: 10/001,520

Confirmation No.: 2524

Filed: October 26, 2001

Art Unit: 2837

For: METHOD AND SYSTEM FOR
DELIVERING MUSIC

Examiner: J. Donels

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Petition
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

Applicant respectfully requests the withdrawal of the Notice of Abandonment mailed March 24, 2004.

Applicant notes the Notice of Abandonment indicates the failure to respond to an "Office letter mailed May 13, 2003." Applicant's attorneys did not receive a communication from the Patent Office dated May 13, 2003. Applicant did respond in a timely manner to the Office Action mailed May 14, 2003 (copy included herewith). It is assumed that the Examiner is referring to that Action.

A copy of Applicant's Amendment in Response to the Office Action Mailed May 14, 2003 and a copy of the stamped postcard receipt is enclosed. Accordingly, it is respectfully requested that the Holding of Abandonment be withdrawn. Additionally, if

Application No.: Not Yet Assigned

Docket No.: S2005.0032/P032

there is an additional communication from the Office dated May 13, 2003, the Examiner is respectfully requested to forward a copy to the undersigned.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: April 1, 2004

Respectfully submitted,

By

Ian R. Blum

Registration No.: 42,336

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas - 41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant

IRB/mgs
Enclosures